

HOUSE BILL 1935

By Windle

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 30, relative to anatomical gifts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-30-114(c), is amended by deleting the subsection in its entirety and substituting instead the following subsection:

(c) When a hospital refers an individual at or near death to a procurement organization, the organization may conduct any reasonable examination necessary to ensure the medical suitability of a part that is or could be the subject of an anatomical gift for transplantation, therapy, research, or education from a donor or a prospective donor. At the instigation of the examination, the organization shall contact the guardian or conservator of the individual and communicate the procedure under which procurement of the individual's body and parts may occur. If the individual does not have a guardian or conservator, or the guardian or conservator is not reasonably available, the organization shall contact the next available person in the order of priority as listed in § 68-30-109(a)(1) - (11). During the examination period, measures necessary to ensure the medical suitability of the part may not be withdrawn unless the hospital or procurement organization knows that the individual expressed a contrary intent.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.